

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 5846 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE J.R.VORA

=====

1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

BHUPENDRASINGH LAXMANSINGH

Versus

STATE OF GUJARAT

Appearance:

MR HR PRAJAPATI for Petitioner

MR K. P. RAVAL for Respondent No. 1

CORAM : MR.JUSTICE J.R.VORA

Date of decision: 14/12/1999

ORAL JUDGEMENT

#. Leave to delete respondent no.3. Rule. Learned A.P.P. Mr. K.P.Raval, waives service on behalf respondent nos.1 and 2. Learned advocate Mr.H.R.Prajapati, on behalf of the petitioner and learned A.P.P. Mr. Raval were heard at length.

#. In the facts and circumstances of the case, Jeep

No.RJ-24-C-815 requires to be handed over to the petitioner during the trial. Admittedly the registration before RTO regarding this vehicle stands in the name of petitioner.

#. Officer Incharge Gandhinagar Prohibition Station, Gandhinagar i.e. respondent no.2 is directed to hand over the possession of the said vehicle i.e. Jeep No.RJ-24-C-815 during trial and subject to final decision of trial court to the present petitioner on the following terms and conditions.

- (1) That the petitioner shall furnish a personal bond of Rs.4 lacs to the Trial Court i.e. to J.M.F.C. Gandhinagar.
- (2) The petitioner shall not take this Jeep or drive this Jeep or cause to be taken or driven in any manner beyond the limits of the State of Gujarat without the permission of the trial court.
- (3) The petitioner shall preserve condition of the said vehicle as it is, and shall not transfer or part with the possession of the said Jeep.
- (4) The petitioner shall produce the Jeep before the trial court whenever it is directed by the trial court during the trial.

#. On furnishing a personal bond before the trial court and incorporating the above said conditions in the bond the trial court shall issue necessary Yadi to the respondent no.2 to release the Jeep to the petitioner and on receiving such Yadi, Respondent no.2 i.e. Officer Incharge Prohibition Station, Gandhinagar shall release the Jeep and hand over the possession to the petitioner. With this order this application stands disposed of. Rule is made absolute to that extent. Direct Service is permitted.

kks